

SENATE STATE OF LOUISIANA



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The Honorable Barack Obama
The President of the United States
1600 Pennsylvania Avenue
Washington, D.C. 20500

Re: The environmental impact of dispersing Corexit during and after the oil spill

Dear Mr. President;

The BP incident in the Gulf of Mexico has now been acknowledged as the greatest manmade disaster in history but there is yet another manmade disaster that must not be overlooked and has not been adequately addressed in the recently released report of the National Commission on the BP Deepwater Horizon oil disaster.

That second major disaster has been caused by the unnecessary use of the toxin Corexit dispersant. In early May of 2010 just after the crisis began, I requested that our Louisiana Attorney General Buddy Caldwell use whatever legal means were necessary to stop the use of this toxin. Shortly thereafter, Louisiana Governor Bobby Jindal requested that the use of this toxic dispersant be discontinued because of the long-term environmental damage. And still later, it was reported in the media that you also ordered BP to stop using Corexit. Surprisingly, I also read in the media that they even refused your request.

Mr. President, my concern is that this toxic and damaging chemical is still being used and it will compound the long-term damage to our state, our citizens, our eco-system, our economy, our seafood industry, our wildlife and our culture.

I am well aware that our emphasis, resources and energy is currently engaged working through the administrative and legal proceedings of the oil disaster but we must also recognize and begin the same process to address the damage Corexit has done and will continue to do as we go forward.

As the State Senator for District 1 in the southeastern corner of the State of Louisiana representing the parishes of St. Tammany, St. Bernard, Orleans and Plaquemines, I respectfully request that you have your administrative officials provide the information requested in this letter. I need to make that information available to my constituents who are seeing their lives and lands threatened and their way of life hanging in the balance. Due to the threats to public safety and ecological realities, I am compelled to write this letter requesting answers to my questions regarding the role of the United States Government in administering the response to the crises in the Gulf. It is apparent that the response directed by our government was inadequate because it allowed the use of Corexit dispersants which increased the toxicity level of the spilled oil and delivered no substantial benefit.

Corexit dispersants increased the toxicity of the oil itself when the two were mixed together. Its use caused the cross contamination of the Gulf water column by forcing the transfer of the surface oil downward through the water column, causing the oil to sink to the Gulf floor. The result was an unnecessary elevated negative impact as this same oil moved ashore later to the tidal zones delivering toxic weathered oil to coastal residents, tourists and businesses and workers in the Gulf region.

Government officials stated over and over that the use of the dispersants was designed to break up the oil into smaller digestible parts to be consumed by the sub-sea living micro-organisms. This strategy is unsubstantiated. In fact, the Corexit dispersant created the opposite results since Corexit contains toxic ingredients which act as biocides to prevent microbial digestion of the oil. Physical evidence supports that the entire response administered by government agencies have been inadequate.

Independent scientists have reported the waters and our shores of the Gulf are toxic. It has been reported that the toxins in the Gulf waters are directly linked to the distribution of dispersants (Corexit 9500 and 9527A) introduced this summer (and since then) during the BP disaster. It has not all evaporated (gassed off) or digested by the microbes and the remaining contamination needs to be cleaned up and not hidden so that the toxins can be removed quickly from our Gulf for the safety of our citizens and to allow what remaining species of sea and wild life to recover; if at all possible.

Immediately following the accident, I spent a great deal of time researching this issue and met with numerous eminently qualified scientists and professionals with the hope of being able to save our coastal zone with the use of "bio-friendly" oil dispersants which I learned was available, safer, non-toxic and proven to be effective.

Today, 9 months after the accident, there is still no plan by the United States Government to clean up the toxin Corexit. Many are concerned that the oil laced with this toxic dispersant is still in the Gulf being moved constantly by currents throughout the ecosystem spreading contamination.

It is well known by many reputable scientists and environmental watchdog groups that non-toxic bio-remediation products, such as "OSE-II" was and is available. It has been used all over the world by many countries, contractors, private industry and the United States military and has been proven to be a safe solution in the past. Moreover, these types of products possess unique properties such as hydraulic lift (causes oil to float) so that the sunken oil can be raised from the sediments and detoxified.

I believe that the officials at the BP science labs have been disingenuous about their supposed desire to protect the aquiculture of the Gulf and the livelihood of the families who harvest the fisheries of the Gulf, in that they have intentionally excluded safe, non-toxic and proven bio-remediation technology to clean up the oil and toxins. BP's refusal to use bio-remediation products to restore Gulf waters to pre-spill conditions is very disturbing to me since the EPA and USCG has approved bio-remediation for the Exxon Valdez spill in Alaska years ago. BP has also used non-toxic bio-remediation technology in the Caribbean and in Africa. RPT 6 of the EPA has used OSE-II in U.S. waters as well.

Was the toxin Corexit used because it dropped the oil from the surface so it would appear that the problem was solved? Was it ever discussed that the dropping of the oil would render the huge undertaking of placing booms useless? The earthen berms called for by Plaquemines Parish President Nungesser and Governor Jindal was our only defense after the use of Corexit was employed as we witnessed in disbelief oil coming to our shores under the booms.

Please have your administration provide answers to the following questions.

1. Have acutely toxic chemical compounds been formed by the mixing of Gulf crude with toxic dispersants (Corexit 9500 and 9527A) applied individually or in a mixed ratio? If such chemicals have been mixed, please provide the ratios and provide the names of the other chemicals with which Corexit was mixed.
2. Other acutely toxic compounds have been found in the air, water, and sediments in the Gulf. Have they evaporated off with the aid of dispersants? Have your scientist reported that these compounds have come ashore, contaminating our coastal communities?
3. Is the oil spilled truly cleaned up, or has it been transformed through the evaporation and loss of lighter-chain hydrocarbons, leaving the heavier, longer-chain hydrocarbons in the water and sediments to continue delivering toxins to those exposed to them through time, which includes all the aquatic life within the Gulf waters?
4. What levels of toxins can humans safely tolerate if these toxins are taken in either by ingestion or by direct exposure from the air or water?
5. Are the Gulf waters safe? If so, define "safe." Please define the test methods used to determine water quality and safety to assist independent scientists to verify these results.
6. Is Gulf seafood safe? If so, define "safe." Please define the test methods used to determine safety to assist independent scientists to verify these results. The independent smell test by the USDA has on occasion proven to be inaccurate. What test equipment is being employed? USDA Director Steve Wilson will not declare verbally.

7. Were our Gulf waters safe prior to the recent 4,200 square mile ban by NOAA? If so, when? Please describe the testing methods and proof that it was safe. Where are the test data and a description of test methods that proved it was safe? What tests or methods were used to prove it was unsafe?
8. Have our Gulf onshore breezes been safe, specifically from May/June and from 2010 to present? Environmental monitoring by the federal government has surely occurred since the accident and test results as well as a description of test methods and findings should be available by now. Much is still missing in this area of data on numerous agency web sites. Please provide them. Independent scientists have reported the presence of PAH's, 2-butoxy-ethanol and other toxic compounds in the air and in onshore rainfall. Please provide any data available on this issue, including their effects on humans, and confirm if the public should be concerned about bio-accumulation in commercial seafood or not. If indeed there is any risk of bio-accumulation, then know that it is possible to detoxify the soil and ground water, if necessary. Both NOAA and the EPA data together with some of BP's data are contradictory within their own summations. We just need transparency regarding these issues.
9. What is the impact of prolonged exposure to these chemicals on humans in terms of toxicity and illness? What are the symptoms associated with various exposures? I ask this because in the Exxon-Valdez accident, it has been reported that all who participated in the clean up activity died within 20+ years of the accident. Understanding the chemical characteristics of the toxins used and mixed with the oil is important.
10. With respect to water samples taken by EPA and NOAA, please provide the test data and a description of test methods regarding poly-propanol, 2-butoxy ethanol, ethylene glycol, total hydrocarbons and PAH's in the water column, not just the surface waters. Reports of chemicals in the water melting the plastics or rubber products such as diving suits and gasket seals have been reported and documented. Also, fishermen have discovered the bottoms of their crab traps dissolved or were heavily coated with rubbery tar-type oil.
11. Does the toxic effects of the dispersant Corexit 9500/9527A mixed with light sweet crude confirm that the toxicity level is increased for living organisms?

Understanding that bacteria are living organisms, I have yet to discover any definitive proof that natural bio-remediation of the weathered oil is possible by using Corexit. The claims by EPA officials and Coast Guard personnel have been confirmed to be false since 1992 (EPA/NETAC Test 1992). This is critical because it is apparent that the toxin Corexit administered did nothing but drop and hide the oil allowing for vast amounts of oil and toxins to be released well below the surface in to the water columns and the food chain. Further, it has been suggested that the toxicity level may increase with time after a spill. There is definitive proof that natural bio-remediation was a viable alternative for use at the time of the disaster and that it can still be used after the natural crude has been dispersed. It is still possible to clean up the water, the coastal lands, the marsh grass areas, the sandy beaches, the water column and the oil on the Gulf floor. EPA has approved bio-remediation products on the NCP list such as OSE-II that can raise the sunken oil to the surface for a safe natural conversion to CO₂ and water which will detoxify the water column and restore the Gulf waters to pre-spill conditions. It was recommended for use in the clean up effort by the USCG Testing lab on July 10, 2010 to the FOSC (Federal on Scene Coordinator), however no action was taken. For unknown reasons, the EPA has blocked its use and continues to deny requests for use by both BP and the Louisiana DEQ.

Today in Louisiana and the other affected Gulf states, the health and welfare of our citizens, public safety, economic pain and environmental unknowns exist and the time to address this critical issue is now.

We will not be fooled in to believing that the oil and the toxins are gone. Because the toxic dispersants have been, and are still being used today, the oil is being forced downward in to the water columns and then carried endlessly around and about by the Gulf currents adversely affecting our environment.

On behalf of the citizens of all of the states on the Gulf coast, I strongly urge you to employ all of the resources you have available to guarantee a safe and healthy future for those of us in the Gulf coast states by joining with us to make sure safe non-toxic bio-remediation technology is put in to use immediately.

It is my sincere hope that this request is answered in a timely fashion so that I can advise my constituents.

I appreciate your understanding and cooperation in this matter.

Respectfully,

A.G. Crowe
State Senator
District 1
State of Louisiana

cc: Vice President Biden: Vice President of the United States of America
Dept of Environmental Protection Agency: (Secretary Lisa. P. Jackson, Dana Tullis, Sam Coleman, Craig Carroll, Gregory J Wilson
Dept. of Defense: (Robert Gates)
Members of the Joint Chiefs: Secretary of the Navy / Secretary of the Army
(US Coast Guard) Incident Commander Ret. Admiral Thad Allen,
Adm. James A Watson, Adm. Mary E Landry, Adm. Paul Zunkunft)
Dept of Justice: (Attorney General-Eric H. Holder, Jr.)
Dept of Interior: (Kenneth Salazar)
Dept. of Agriculture: (Thomas J. Villach)
Dept. of Commerce: (Gary F. Locke)
Dept of Health and Human Services: (Kathleen Sebelius)
Dept of Energy: (Steven Chu)
Dept of Homeland Security: (Janet Napolitano, Thad Allen)
Louisiana Governor Bobby Jindal
New Orleans Mayor Mitch Landrieu
Alabama Governor Robert Bentley
Florida Governor Rick Scott
Mississippi Governor Haley Barbour
Texas Governor Rick Perry
Louisiana Attorney General Buddy Caldwell

Alabama Attorney General Troy King
Florida Attorney General Pam Bondi
Mississippi Attorney General Jim Hood
Texas Attorney General Greg Abbott
Louisiana Secretary of Wildlife & Fisheries Robert Barham
Louisiana Secretary of Dept. of Environmental Quality Peggy Hatch
Garret Graves, Louisiana Governor's Office of Coastal Protection
Louisiana Secretary of Department of Health & Hospitals Bruce Greenstien
Senator Mary L. Landrieu
Senator David Vitter
Congressman Steve Scalise
Congressman Cedric L. Richmond
Congressman Jeff Landry
Congressman John Fleming
Congressman Rodney Alexander
Congressman Bill Cassidy
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Louisiana Senate President Joel T. Chaisson, III
Louisiana Speaker of the House Tucker
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Texas Speaker of the House Joe Straus
Alabama Senate President, Lt. Governor, Jim Folsom, Jr.
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